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DE RUEHKH #1454/01 3611443
ZNY CCCCC ZZH
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FM AMEMBASSY KHARTOUM
TO RUEHC/SECSTATE WASHDC IMMEDIATE 4947
INFO RUCNIAD/IGAD COLLECTIVE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE

C O N F I D E N T I A L SECTION 01 OF 02 KHARTOUM 001454

SIPDIS

NSC FOR MGAVIN, LETIM
DEPT PLS PASS USAID FOR AFR/SUDAN
ADDIS ABABA ALSO FOR USAU

E.O. 12958: DECL: 12/27/2014

TAGS: KDEM KPKO PGOV PREL SU

SUBJECT: SPLM'S ARMAN SHARES VIEWS ON WAY FORWARD FOR SOUTHERN SUDAN REFERENDUM LAW

REF: KHARTOUM 1447

Classified By: A/CDA Mark L. Asquino for reasons 1.4(b) and (d)

¶1. (C) Summary. The Acting Charge d'Affaires and poloff requested a December 27 meeting with Sudan People's Liberation Movement (SPLM) Head of Northern Sector Yasir Arman to get his views on prospects for resolving his party's dispute with the National Congress Party (NCP) over the latter's amendments to the Southern Sudan Referendum Bill (reftel). Arman said the SPLM hopes the National Assembly will re-open discussion and pass the Southern Sudan Referendum Law on December 28 with language previously agreed to during December 13 negotiations between President Omer Al Bashir and GOSS President Salva Kiir. Arman said he was cautiously optimistic that an agreement could be reached with the NCP either to restore the original language in Articles 27 and 67 of the law, or reach a compromise on new language that would not alter the law's "substantive" meaning. He insisted that neither the Abyei Referendum nor Popular Consultations Laws for Blue Nile and South Kordofan would be discussed during the December 28 session until the two sides agreed to and passed the Southern Referendum Law. Arman dispelled reports that the SPLM would call for country-wide demonstrations on December 28 in support of the Southern Sudan Referendum Law. He stated that such demonstrations were being considered only for the south. However, he did not preclude nationwide demonstrations in the future, including in Khartoum, if there was no agreement between the parties on the Southern Sudan Referendum law. He thanked the Acting Charge for the December 22 statement by the Department calling on the NCP not to "renege" on passage of the December 13 version of the Southern Referendum law that had been agreed to by the two parties. End summary.

¶2. (C) In a December 27 meeting with the Acting Charge and poloff, the SPLM's Head of Northern Sector Yasir Arman recounted the events of the previous week that had led to the unilateral approval by the NCP in the National Assembly of the Southern Sudan Referendum Law. Arman said that the SPLM had first heard late on December 20 of proposed NCP changes to the version of the draft law that had been agreed upon by the SPLM and the NCP in the Council of Ministers on December ¶13. He described unsuccessful efforts to discuss with the NCP disagreements regarding changes the latter proposed to Articles 27 and 67 of the Southern Referendum Law. In response to the NCP's introduction of the law with these amendments in the National Assembly on December 22, he said the SPLM requested adjournment of the parliamentary session to negotiate changes with the NCP. After refusing to grant an hour's adjournment for the two sides to work out their differences, the Speaker of the National Assembly granted the parties just a half-hour recess. Arman said that during this brief time, the NCP and SPLM were unable to resolve their differences on the amendments. When NCP Presidential Advisor

Dr. Ghazi Sallahudin, reversing an earlier commitment to reach agreement with the SPLM, insisted on continuing the proceedings to bring the referendum with the amendments to a vote, the SPLM, along with NCP members from the south, walked out of the National Assembly. (reftel)

¶3. (C) According to Arman, the SPLM and NCP had previously agreed that southerners residing in the north after January 1, 1956 would be allowed to vote there. Arman said the two parties had also agreed that any southerner who had resided in the north prior to that date would be required to prove southern lineage by registering and voting in the south rather than from a voting center in the north. He expressed concern that, without this safeguard, anyone could claim southern lineage and vote in the north. The NCP's removal of the agreed-upon language in Article 27 was unacceptable to the SPLM as was the NCP's insistence on inserting language in Article 67 stipulating post 2011 arrangements between the north and south must be "resolved" (vice "would be discussed") prior to the holding of the January 2011 Southern Referendum. Arman said that the South would "never accept" that such a condition be tied to the referendum taking place.

4.(C) Arman said he would meet during the evening of December 27 with senior SPLM members, including GOSS Vice President Dr. Riek Machar, as well as with opposition party representatives, to discuss strategies for the December 28 National Assembly session. When asked what he thought would happen during the session, Arman said he hoped the two sides would reach agreement and pass the Southern Sudan Referendum Law either in the December 13 version or one that had no

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"substantive" changes. He said that there were divisions within the NCP itself on this issue. He claimed that Presidential Advisors Nafi al Nafi and Salah Ghosh insisted on retaining the amendments while others including NCP Vice President Taha and NCP Presidential Advisor Dr. Ghazi Sallahudin wanted to reach an agreement. Arman was adamant that the SPLM would not accept the amendments as written. He said, however, that the party would accept minor "NCP face-saving" changes as long as they did not alter substance.

Arman said that he had already made clear in a public statement that the SPLM would not participate in the December 28 National Assembly session if the NCP attempted to introduce discussion of the Abyei Referendum and Popular Consultations Laws before reaching resolution and agreement on the Southern Referendum Law.

¶5. (C) Despite reports (reftel) that the SPLM would call for demonstrations throughout Sudan on December 28 in support of the Southern Referendum Bill, Arman said such gatherings were being discussed only for Juba and other cities in the south. He said this would be a way for southerners to show their commitment to passage of an acceptable version of the referendum law and their support to the SPLM and other southern parties. He denied any plans for demonstrations in Khartoum, saying that the SPLM preferred at this point in time to reach an agreement with the NCP. However, he did not rule out future demonstrations in Khartoum if things did not go well in this week's Assembly sessions. He thanked the Acting Charge for the December 22 statement by the Department calling on the NCP not to "renege" on passage of the December 13 version of the Southern Referendum law that had been agreed to by the two parties. Arman said the statement had been instrumental in "pressuring" the NCP to reopen discussion with the SPLM of the law.

ASQUINO